

**MOORE COUNTY PLANNING BOARD
THURSDAY, AUGUST 4, 2022, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIANCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)
Please sign up on the Public Comment Sign In sheet near the door

I. APPROVAL OF CONSENT AGENDA
All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of July 7, 2022
- C. Consideration of Abstentions

II. PUBLIC HEARINGS-WATERSHED REVIEW BOARD

1. **Town of Aberdeen Request 30 Acres of Watershed Allocation/Watershed Transfer Resolution – Debra Ensminger**

III. PUBLIC HEARINGS

1. **A request to initially zone to Residential & Agricultural-40 (RA-40) one parcel of approximately 8 acres located on Eastman Road – Debra Ensminger**

IV. PLANNING DEPARTMENT REPORTS - Debra Ensminger

V. BOARD COMMENT PERIOD - Chairman

VI. UPCOMING EVENTS

- Tuesday, August 16, 2022, 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, September 1, 2022, 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**
- Tuesday, September 6, 2022, 10:30 AM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage

VII. ADJOURNMENT

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **given** to the County.*

Please see attached procedures for the Public Comment Period and public comment during Public Hearing

**PUBLIC COMMENT PROCEDURES
MOORE COUNTY PLANNING BOARD**

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign-up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.

**MOORE COUNTY PLANNING BOARD
PUBLIC HEARINGS PROCEDURES**

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, JULY 7, 2022, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present:

Joe Garrison (Chairman), Jeffrey Gilbert, Bobby Hyman (Vice chair), Farrah Newman, John McLaughlin, Mick McCue, David McLean

Board Members Absent:

Amy Lynn, Tucker McKenzie

Staff Present:

Debra Ensminger, Planning Director; Stephanie Cormack, Admin Officer; Jaimie Walters, Senior Planner; Ruth Pedersen, Senior Planner; Stephan Lapping, Associate County Attorney

CALL TO ORDER

Chairman Joe Garrison called the meeting to order at 6:00 pm.

INVOCATION

Chairman Joe Garrison offered the invocation.

PLEDGE OF ALLEGIANCE

Vice chair Bobby Hyman led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member David McLean read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of May 5, 2022
- C. Consideration of Abstentions

Chairman Joe Garrison informed the board the Watershed Review Board has been pulled from the agenda. Board Member John McLaughlin made a motion for approval of the consent agenda

and to amend removing the Watershed Review Board item. Vice chair Bobby Hyman seconded the motion as amended and the motion passed unanimously 7-0.

ELECTION OF VICE CHAIR

Board Member John Mc Laughlin made a motion to nominate Bobby Hyman to serve another year as Vice chair. Board Member Jeffrey Gilbert seconded the motion and the motion passed unanimously 7-0.

PUBLIC HEARING

Public Hearing #1 – Conditional Rezoning Request: Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA/CZ) – Hwy NC 22. – Jaimie Walters

Senior Planner Jaimie Walters presented a request by Cellco Partnership d/b/a Verizon Wireless requesting a Conditional Rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) to construct a 255' monopole tower for a Wireless Communication Facility on an approximately 0.23-acre portion of one parcel of approximately 70.20 acres located on NC 22 Highway, owned by Carolyn & Chesley Rimmer, per Deed Book 5180 Page 166 and further described as ParID 00003579 in the Moore County Tax Records.

Mrs. Walters went over the items within the packet regarding the request.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

The following have signed up to speak during the Public Hearing; all in favor of the item.

- Ralph Wyngarden, applicant representative
- Nick LaSala, 975 Cranes Creek Rd. Cameron NC

The following have signed up to speak however have declined when called upon.

- David Best
- Chesley Rimmer
- Carolyn Rimmer

With no further discussion or public comment Chairman Garrison closed the Public Hearing.

With no further comments Board Member Bobby Hyman made a motion to adopt and approve the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its chairman to execute the document as required by North Carolina General Statute 160D-604. The motion was seconded by Board Member Jeffrey Gilbert; the motion passed unanimously 7-0.

Vice Chair Bobby Hyman made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional Rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) to construct a 255' monopole tower for a Wireless Communication Facility on an approximately 0.23-acre portion of one parcel of approximately 70.20 acres

located on NC 22 Highway, owned by Carolyn & Chesley Rimmer, per Deed Book 5180 Page 166 and further described as ParID 00003579 in the Moore County Tax Records; The motion was seconded by Board Member Mick McCue; the motion passed unanimously 7-0.

Public Hearing #2 – Conditional Rezoning Request: Residential and Agricultural - 40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B-2/CZ) – US 15-501 Highway. – Jaimie Walters

Senior Planner Jaimie Walters presented a request by Jeff Tucker, Vice-President of JT & JR, Inc, requesting a Conditional Rezoning from Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B-2/CZ) to construct a building and storage yard for a Contractor Office on an approximately 4.96-acre portion of two parcels of approximately 14.07 acres located on US 15-501 Highway, owned by JT & JR, Inc., per Deed Book 5504 Page 445 and Deed Book 5446 Page 365 and further described as ParID 00014913 and 00016274 in the Moore County Tax Records.

Mrs. Walters went over the items within the packet regarding the request mentioning this item was previously brought to the board for approval however, there was a modification in which the applicant had to modify the site plan due to an existing septic system located on the property that was unknown at the time of the original presentation.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

Chairman Garrison asked staff to confirm the modification was an update to the site plan and inquired if the board approved the item previously when presented.

Mrs. Walters confirmed a modification to the site plan was made and acreage was added. It was also confirmed that the board had previously voted to recommend approval of the request.

Board Member John McLaughlin requested the applicant go over the screening to be installed.

Phillp Picerno, LKC Engineering; applicant representative provided the board with a rendering of the site to show the future screening to be installed, attached as “Exhibit A”.

The following have signed up to speak during the Public Hearing all against the item.

- Pauline Ross, 311 Pinehill Rd. West End, NC-representing members of the community
- Charles Kearns, 7719 Hwy 15/501 West End, NC

The following have signed up to speak during the Public Hearing neither in favor of nor against the item.

- Nick LaSala, 975 Cranes Creek Rd. Cameron NC

The following have signed up to speak however have declined when called upon.

- Lester Gillespie
- Joyce Jackson

- Richard Barns

The following have signed up to speak during the Public Hearing in favor of the item.

- Phillip Picerno, LKC Engineering; applicant representative
- Jackson Maples, LKC Engineering; applicant representative

Mr. Maples presented a PowerPoint to the board to help address all citizen issues and questions, attached as “Exhibit B”.

Board Member Gilbert asked what type of landscape vehicles would be used by the applicant and how many.

Mr. Picerno informed the board his applicant has two (2) dump trucks that would be used. He also addressed Board Member McLaughlin comment regarding screening which would be a six (6) foot vinyl fence to include an extensive number of shrubs and trees.

Vice chair Hyman asked when the most recent traffic daily trip analysis completed.

Mr. Picerno mentioned the information is taken from the ITE trip generation manual which are updated approximately every three to five years.

Board Member McLean asked how many employees would the applicant have?

Mr. Picerno mentioned his applicant would have approximately twelve (12) employees. The trip generation was based on approximately fifteen (15) employees.

Board Member Gilbert asked if additional screening was considered between the adjoining property owners.

Mr. Picerno explained there would be almost a football field between the proposed building and one of the adjoining properties.

Chairman Garrison asked if any part of the adjoining property owners’ easement would be utilized.

Mr. Picerno confirmed no adjoining property owner’s easement would be used by his applicant.

With no further discussion or public comment Chairman Garrison closed the Public Hearing.

Chairman Garrison reminded the board the item heard before them was a legislative decision not a Quasi-Judicial.

With no further comments Chairman Garrison made a motion to adopt and approve the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its chairman to execute the document as required by North Carolina General Statute 160D-604. The motion was seconded by Board Member Mick McCue; the motion passed unanimously 7-0.

Vice chair Bobby Hyman made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional Rezoning from Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B-2/CZ) to construct a building and storage yard for a Contractor Office on an approximately 4.96-acre portion of two parcels of approximately 14.07 acres located on US 15-501 Highway, owned by JT & JR, Inc., per Deed Book 5504 Page 445 and Deed Book 5446 Page 365 and further described as ParID 00014913 and 00016274 in the Moore County Tax Records; The motion was seconded by Board Member Mick McCue; the motion passed unanimously 7-0

PLANNING DEPARTMENT REPORTS

Ms. Ensminger informed the board the items heard before them would go before the Board of County Commissioners as a Public Hearing on August 16, 2022.

Ruth Pedersen, new Senior Planner was introduced to the board.

BOARD COMMENT PERIOD

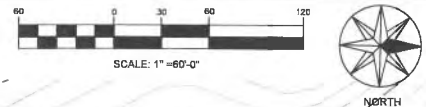
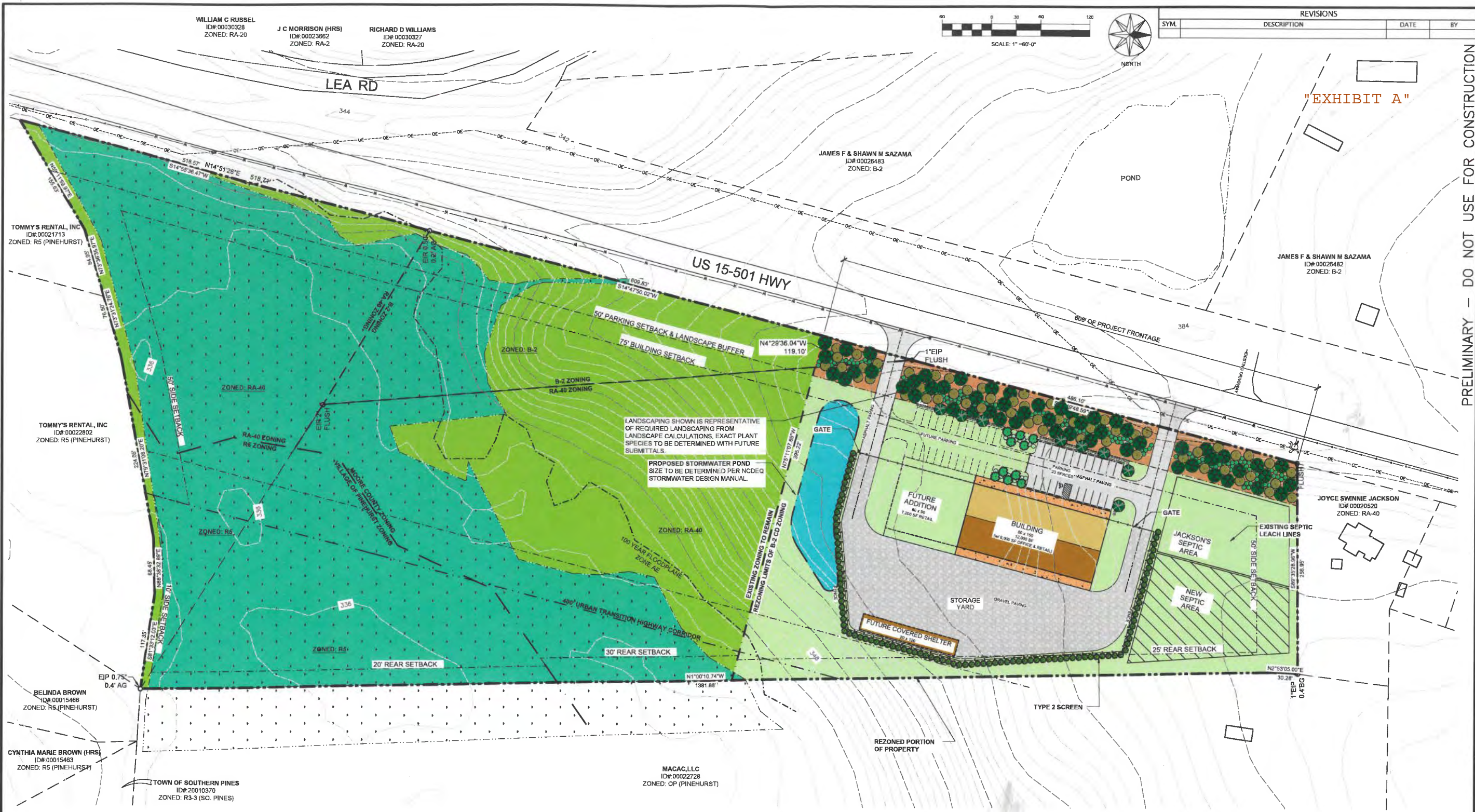
Chairman Garrison welcomed new Planning Board members Mick McCue and David McLean as well as thanking Moore County staff for all their hard work.

ADJOURNMENT

With no further comments Vice chair Bobby Hyman made a motion to adjourn the July 7, 2022, regular meeting. The motion was seconded by Board Member Jeffrey Gilbert; meeting adjourned at 7:15 p.m., the motion passed unanimously 7-0.

Respectfully submitted by,

Stephanie Cormack



REVISIONS			
SYM.	DESCRIPTION	DATE	BY



LKC Engineering, LLC
140 Aqua Shed Court
Aberdeen, NC 28315
O: 910.420.1437
F: 910.637.0096
lkceengineering.com
License No. P-1095

Engineering
Landscape Architecture
Surveying



CONCEPTUAL
SITE PLAN
(REZONE FROM RA-40 TO B-2)

JT & JR, LLC
COMMERCIAL BUILDING

DATE: 6-15-2022
DESIGNED:
DRAWN: LS
CHECKED:
NO.
L001

DIMENSIONAL STANDARDS (5.1)
AREA: 10,000sf MINIMUM
LOT WIDTH: 75' MINIMUM
LOT FRONTAGE: 100' MINIMUM
PRINCIPAL BUILDING SETBACKS: FRONT - 50'
SIDE - NONE
SIDE CORNER - 25'
REAR - 25'
ACCESSORY BUILDING SETBACKS: FRONT - 50'
SIDE - 15'
SIDE CORNER - 20'
REAR - 20'

REZONED PORTION
PROPOSED ZONING: B-2 CD
AREA: 4.96 AC. (216,021sf) (PREVIOUSLY 4.76 AC.)

HIGHWAY CORRIDOR STANDARDS (7.8)
URBAN TRANSITION HIGHWAY CORRIDOR OVERLAY DISTRICT
DEPTH: 400' FROM R-O-W
CONDITIONAL ZONING USE: CONTRACTOR'S STORAGE YARD & OFFICE
STORMWATER MANAGEMENT: 25 YEAR, 24 HOUR DESIGN STORM
STORMWATER CONTROL MEASURES PER NCDEQ STORMWATER DESIGN MANUAL
BUILDING SETBACKS: FROM RESIDENTIAL DISTRICTS - 50'
FROM NON-RESIDENTIAL DISTRICTS - 25'
BUILDING HEIGHT: 35' MAXIMUM
PARKING SETBACKS: FROM R-O-W: 50'
PAVING SURFACE: ASPHALT - PARKING AND DRIVEWAYS
GRAVEL - STORAGE YARD
CURBING: WHEELSTOPS
SERVICE AREAS SCREENING: TYPE 1 OR TYPE 2
DRIVEWAYS: 2 PER LOT MAXIMUM, 30' APART MINIMUM
VEHICLE USE SCREENING: PERIMETER; 1 TREE/30 lf & 1 SHRUB/3 lf OF FRONTAGE
INTERIOR; 2 TREES & 4 SHRUBS PER 10 SPACES

PARKING DIMENSIONS & CALCULATIONS
SIZE: 9' WIDE x 18 FEET DEEP MINIMUMS
BACK-UP AISLE: 20' MINIMUM
REQUIRED SPACES: 1 PER EMPLOYEE AND 1/300sf OFFICE SPACE
EMPLOYEES: 3 = 3 SPACES REQUIRED
6000sf OFFICE / 300 = 20 SPACE REQUIRED
TOTAL SPACES REQUIRED: 23
TOTAL SPACES PROVIDED: 23 (22 STANDARD AND 1 HANDICAP)

WATERSHED REQUIREMENTS
WATERSHED: WS-III-BW NICKS CREEK
MAXIMUM IMPERVIOUS: 24 % (70% W/ SNIA)
LOT SIZE: 16.49 ACRES TOTAL (718,391sf)
ALLOWABLE IMPERVIOUS SURFACE: 16.46ac. x 0.24 = 3.95 acs (172,393sf)
PROPOSED IMPERVIOUS SURFACE (INCLUDES FUTURE): 2.07 acs. (90,000sf, 12.55%)

LANDSCAPE CALCULATIONS
1. 606' OF ROAD FRONTAGE OF PROJECT AREA
TREES REQUIRED: 18 PER 100 lf = 6.06 x 18 = 109 TREES REQUIRED
109 TREES PROVIDED
SHRUBS REQUIRED: 25 PER 100 lf = 6.06 x 25 = 152 SHRUBS REQUIRED
152 SHRUBS PROVIDED
2. VEHICLE USE AREA PERIMETER: 292 lf TOTAL FRONTAGE
TREES REQUIRED: 1 PER 30 lf = 292 / 30 = 10 TREES REQUIRED
10 TREES PROVIDED
SHRUBS REQUIRED: 1 PER 3 lf = 292 / 3 = 98 SHRUBS REQUIRED
98 SHRUBS PROVIDED
3. SCREENING WITHIN V.U.A.: 47 PARKING SPACES (INCLUDES FUTURE)
2 TREES PER 10 SPACES = 2 x 4.7 = 10 TREES REQUIRED
10 TREES PROVIDED
4 SHRUBS PER 10 SPACES = 2 x 4.7 = 19 SHRUBS REQUIRED
19 SHRUBS PROVIDED
4. SERVICE AREA SCREENING: TYPE 2 SCREEN = SINGLE ROW OF SHRUBS TO BE 10' HIGH AT 5 YEARS AFTER PLANTING.

SPECIAL USE STANDARDS (8.96)
CONTRACTOR'S STORAGE YARD & OFFICE
1. ALL STORAGE BUILDINGS AND OUTDOOR STORAGE AREAS SHALL BE LOCATED A MINIMUM 50 FEET FROM ANY RESIDENTIALLY ZONED PROPERTY LINE
2. 1 PARKING SPACE PER EMPLOYEE AND 1 SPACE PER 300sf OF OFFICE SPACE

NOTES
1. SITE LIGHTING SHALL COMPLY WITH HIGHWAY CORRIDOR OVERLAY DISTRICT (SECTION 7.8.Q) FOR ALL PROPOSED LIGHTING.
2. BUILDING SHALL CONFORM TO ALL HIGHWAY CORRIDOR OVERLAY DISTRICT BUILDING STANDARDS (SECTION 7.8.I).
3. PROPOSED FENCE TO BE 6' HIGH, VINYL COATED.
4. ALL PARKING TO HAVE WHEELSTOPS.

JT & JR, LLC – Commercial Building

Pool Contractor

Moore County, NC

Planning Board Meeting – Conditional Rezoning Request

"EXHIBIT B"

**Applicant:
JT & JR, LLC**

July 7th, 2022

LKC

Site Location



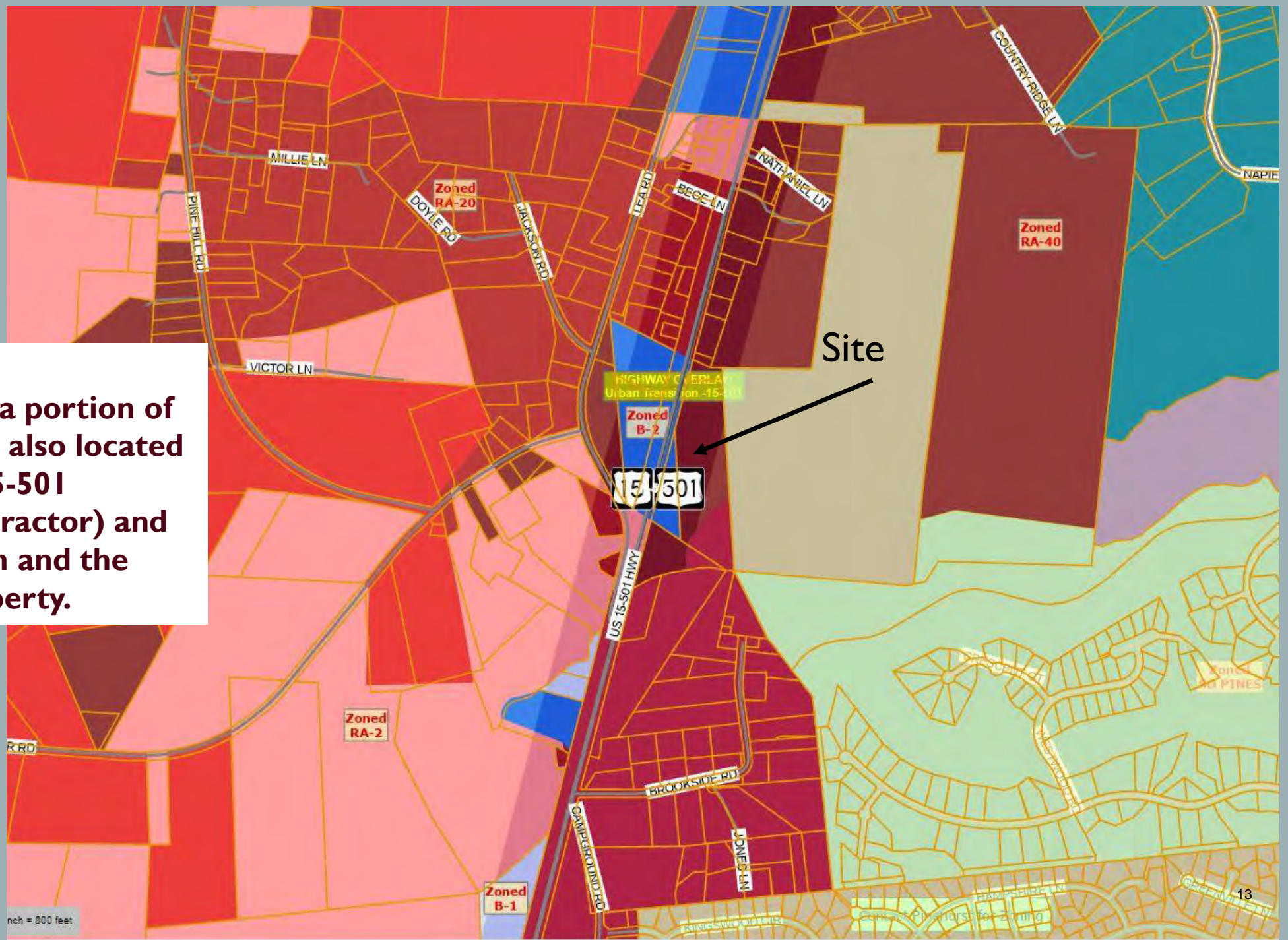
Site Background

Existing Conditions

- **Location:** Located along Hwy 15-50 approx. 1 mile south of the intersection of Hwy 15-501 and NC 73.
- **Site Acreage:** 16.49 acres comprised of 3 parcels
- **Current Zoning:** 2 parcels are Zoned RA-40 and the other B-2
- **Topography:** The Site generally from North to South. The site elevations range from 400' to 336' in a North to South direction.
- **Current Use:** The site is wooded with a mix of pines, hardwoods, and undergrowth. A previous owner used the site for dumping waste materials like broken concrete, asphalt, brick, wood, and dirt.
- **Environmental Features:** Wetlands and a small stream allocate a large portion of the southern end of the property. The 100-year flood zones is also present around the South end of the site where the wetlands are.
- **Utilities:** Moore County water is Available. Private Septic for sewer.

Existing Zoning

- **RA-40 and B-2.**
- **B-2** currently on a portion of the property. **B-2** also located directly across 15-501 (Landscape Contractor) and both to the north and the south of the property.



WETLANDS

DIMENSIONAL STANDARDS (5.1)
 AREA: 10,000± MINIMUM
 LOT WIDTH: 75' MINIMUM
 LOT FRONTAGE: 100' MINIMUM
 PRINCIPAL BUILDING SETBACKS: FRONT - 50'
 SIDE - NONE
 REAR - 25'
 ACCESSORY BUILDING SETBACKS: FRONT - 50'
 SIDE - 15'
 REAR - 20'

HIGHWAY CORRIDOR STANDARDS (7.8)
 URBAN TRANSITION HIGHWAY CORRIDOR OVERLAY DISTRICT
 DEPTH: 400' FROM R-O-W
 CONDITIONAL ZONING USE: CONTRACTORS STORAGE YARD & OFFICE
 STORMWATER MANAGEMENT: 25 YEAR, 24 HOUR DESIGN STORM
 NCDEQ STORMWATER CONTROL MEASURES PER
 NCDEQ STORMWATER DESIGN MANUAL
 BUILDING SETBACKS: FROM RESIDENTIAL DISTRICTS - 50'
 FROM NON-RESIDENTIAL DISTRICTS - 25'
 BUILDING HEIGHT: 35' MAXIMUM
 PAVING SETBACKS: FROM R-O-W - 50'
 PAVING SURFACE: ASPHALT - PARKING AND DRIVEWAYS
 GRAVEL - STORAGE YARD
 CURBING: WHEELSTOPS
 SERVICE AREAS SCREENING: TYPE 1 OR TYPE 2
 DRIVEWAYS: 2 PER LOT MAXIMUM, 30' APART MINIMUM
 VEHICLE USE SCREENING: PERIMETER: 1 TREE/30' & 1 SHRUB/3' IF OF FRONTAL INTERIOR: 2 TREES & 4 SHRUBS PER 10 SPACES

PARKING DIMENSIONS & CALCULATIONS
 SIZE: 9' WIDE x 18 FEET DEEP MINIMUM
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 3. PROPOSED FENCE TO BE 6" HIGH VINYL COATED.
 4. ALL PARKING TO HAVE WHEELSTOPS.

SITE PLAN – Rendered

- Building shifted approx. 75' south because of septic easement and leach field.
- Stormwater pond to meet County's requirement of pre-post for 25-yr. design storm.
- Storage Yard – mini excavator, skid steer, stone, brick, and other pool related items. Chemicals to be stored inside.
- Urban Transition Hwy. Corridor Overlay Landscape Buffer – 109 Trees and 152 Shrubs.
- Type 2 Screen for Service Yard – 6' tall vinyl fence and a row of shrubs (10' tall after 5 years from planting).



Easement Document Summary's – 1983

NOW THEREFORE in consideration of One (1) Dollar and other valuables, Grantor does hereby grant to Grantees a Right of Way and Easement over a strip of land 15 feet wide from U. S. Highway #15-501 to the land of Grantees for the purpose of access from and to property of Grantee from said Highway and the right to clear said strip of land to permit the access.

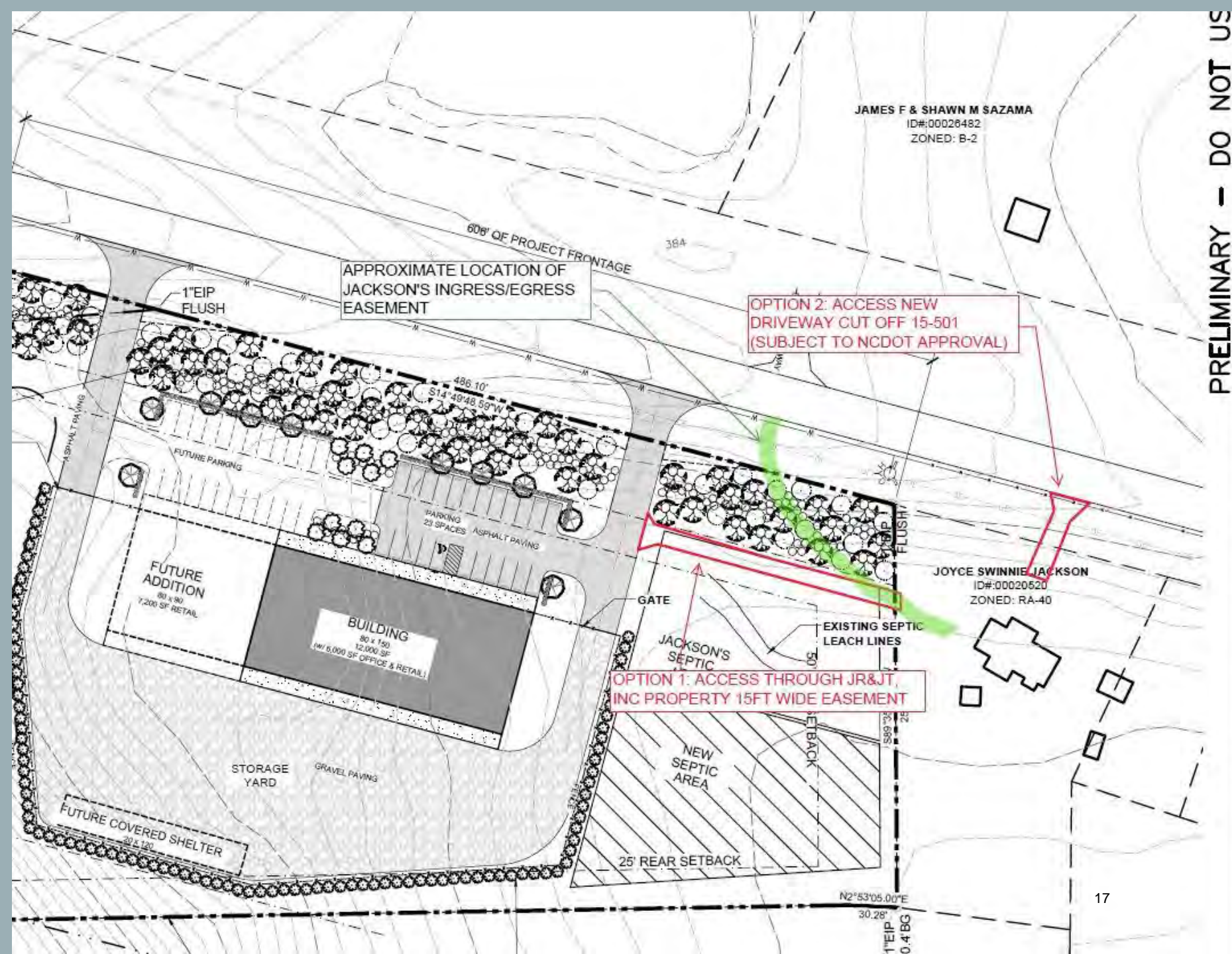
Access

NOW THEREFORE in consideration of One (1) Dollar and other valuables, Grantor does hereby grant to Grantees, an Easement upon his land permitting Grantees to extend a septic tank and or drain lines onto his property as needed for the proper construction of a sanitary septic system for one dwelling house. The Grantor also gives to the Grantees the right to maintain said septic tank and drain lines as necessary to keep them in proper sanitary working condition.

Septic

Access Easement Options

Owner and Mr. Keith Austin (family relative) are working on options to maintain ingress/egress.



Traffic Generation

ITE Trip Generation Manual – Industry Standard Manual used to predict traffic generated by various developments.

ITE Trip Generation Manual							
Land Use	LUC	Size/Quantity	DAILY TRIPS				
			IN	OUT	TOTAL	AM Peak	PM Peak
Specialty Trade Contractor	180	12000sf	23	22	45	6 IN / 2 OUT	3 IN / 6 OUT
Single-Family Detached Housing	210	4 homes	27	27	54	2 IN / 6 OUT	3 IN / 2 OUT

For Comparison:

- Daycare (just north of property) – Approx. 4,500sf – 215 Daily Trips
- Gas Station (just south of property) – Approx. 3,000sf – 1,873 Daily Trips

Sight Distance

Sight Distance
looking North
on Hwy 15-501

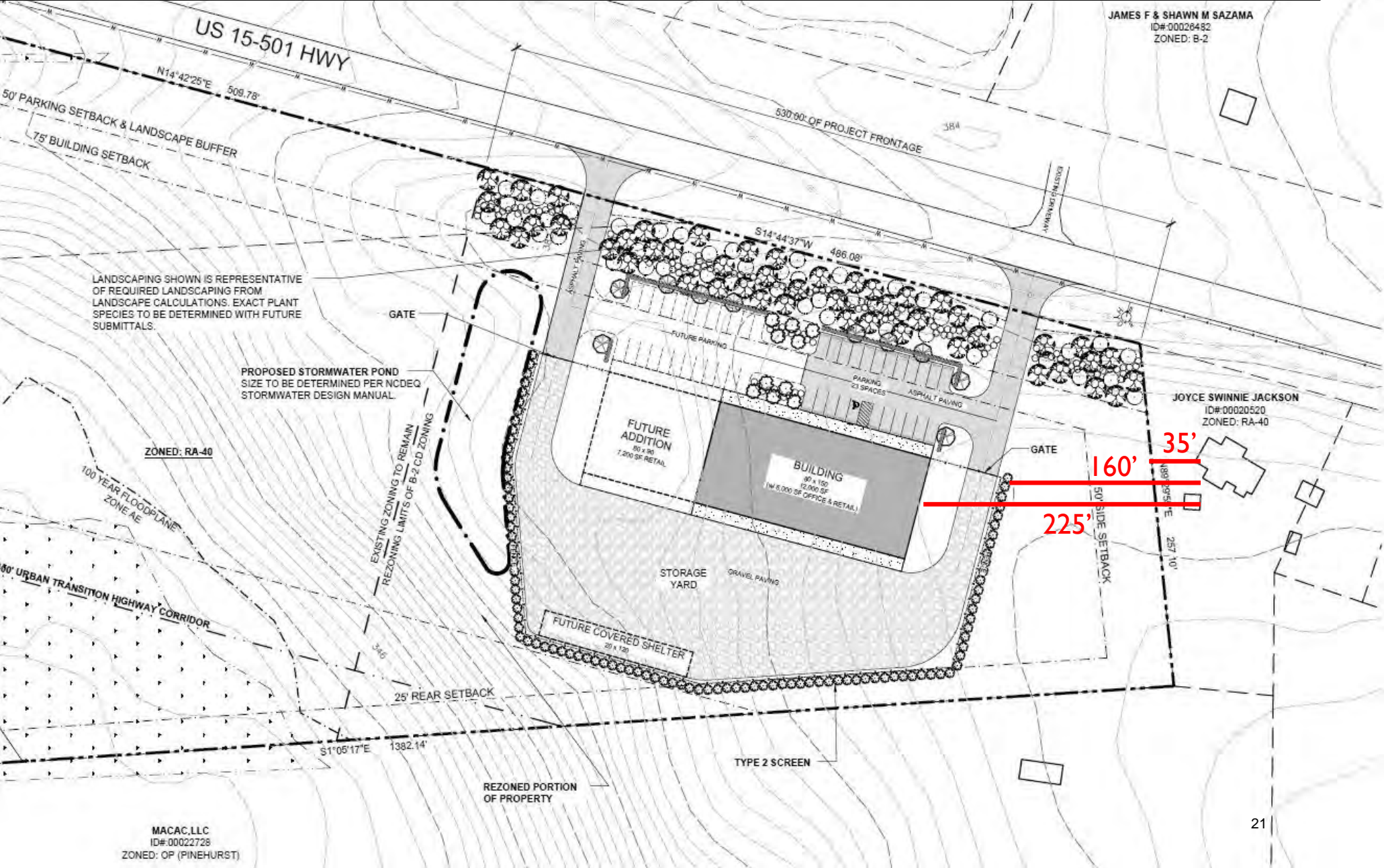


Sight Distance

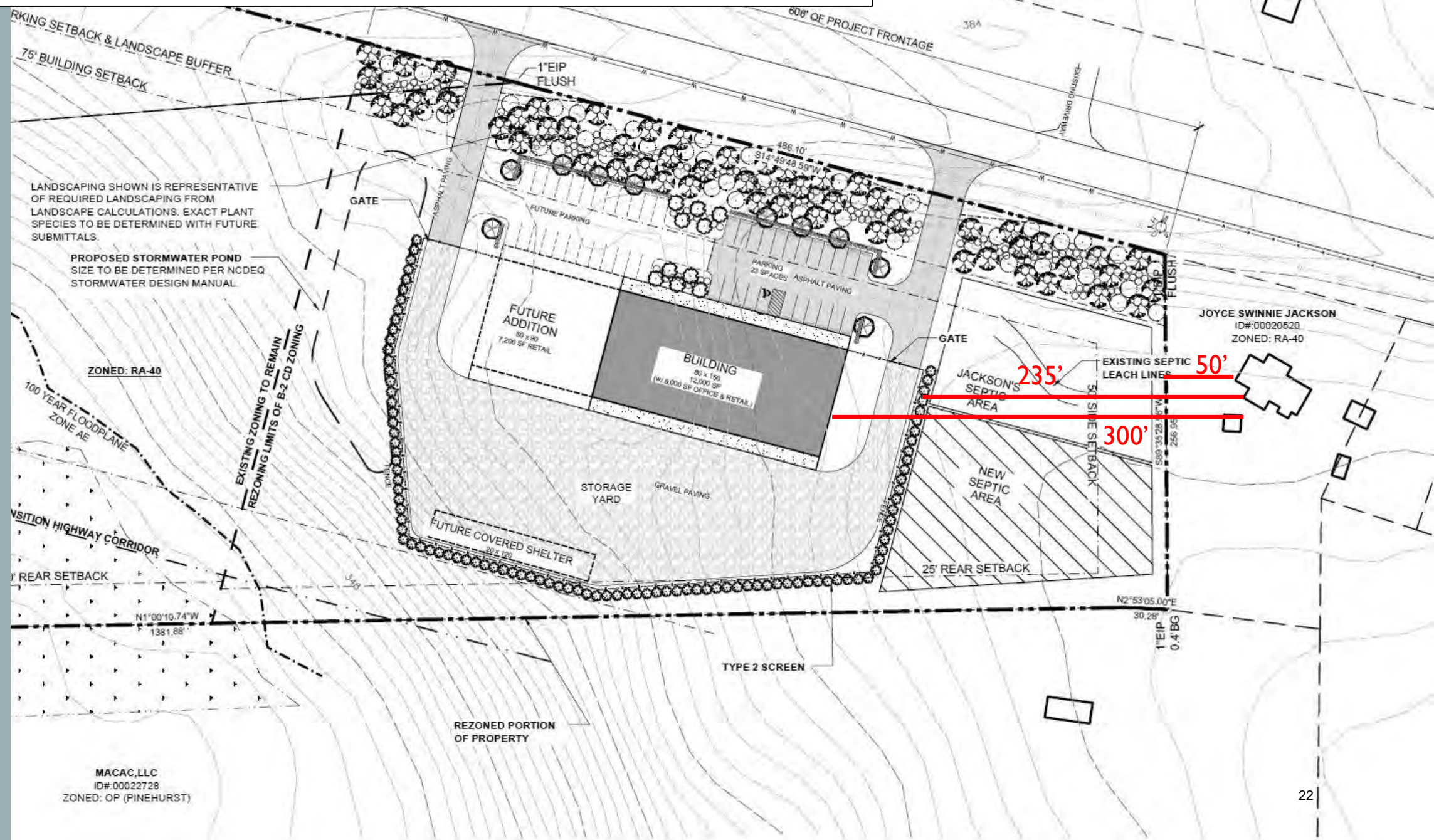
Sight Distance
looking South
on Hwy 15-501



ORIGINAL SITE PLAN as approved at January 6, 2022 Planning Board Meeting



Current Site Plan - Dimensions from Jackson property



The site plan illustrates a property with various zoning designations and setbacks. Key features include:

- Zoning:** The property is divided into several zones, including ZONED: RA-40, ZONED: B-2, ZONED: R5, ZONED: R3-3, and ZONED: OP (Pinehurst).
- Setbacks:** Various setbacks are indicated, such as 50' PARKING SETBACK & LANDSCAPE BUFFER, 75' BUILDING SETBACK, 50' SIDE SETBACK, 10' SIDE SETBACK, 20' REAR SETBACK, and 30' REAR SETBACK.
- Proposed Features:** The plan shows a PROPOSED STORMWATER POND, a GATE, FUTURE PARKING, FUTURE ADDITION, FUTURE COVERED SHELTER, and a STORAGE YARD.
- Landscaping:** A note states: "LANDSCAPING SHOWN IS REPRESENTATIVE OF REQUIRED LANDSCAPING FROM LANDSCAPE CALCULATIONS. EXACT PLANT SPECIES TO BE DETERMINED WITH FUTURE SUBMITTALS."
- Other Labels:** The plan includes labels for "TOWN OF SOUTHERN PINES", "MACAC, LLC", and "REZONED PORTION OF PROPERTY".

AREA: 10,000sf MINIMUM
LOT WIDTH: 75' MINIMUM
LOT FRONTAGE: 100' MINIMUM

URBAN TRANSITION HIGHWAY CORRIDOR OVERLAY DISTRICT
DEPTH: 400' FROM R-O-W
CONDITIONAL ZONING USE: CONTRACTOR'S STORAGE YARD & OFFICE

SIZE: 9' WIDE x 18 FEET DEEP MINIMUMS
BACK-UP AISLE: 20' MINIMUM

1. 806' OF ROAD FRONTAGE OF PROJECT AREA
TREES REQUIRED: 18 PER 100 LF = 8.06 x 18

Rezoning Request

B. Urban Transition. The Urban HCOD overlays the zoning along portions of the following roadways as depicted on the official zoning map, not including any municipal zoning jurisdiction: US 1 Highway, US Highway 15/501, NC 22 Highway, and NC 211 Highway. This district's goal is to improve property, support the natural conditions, and keep in visual character and appearance of the nearby Towns. The Sandhills and Longleaf Pine are unique within North Carolina and these elements are of economic value to the Towns and make it a desirable place for both residents and visitors.

Goal 3: Maximize accessibility among living, working, and shopping areas

- Action 3.1.2: Encourage non-residential development to locate near major transportation routes and areas served by adequate water, sewer, natural gas, broadband, and electric power.

3. The rezoning request is reasonable and in the public interest considering the property is located adjacent to a major thoroughfare, is located within the Urban Transition Highway Corridor Overlay and has access to public water.

**MEMORANDUM TO THE MOORE COUNTY PLANNING BOARD/WATERSHED REVIEW
BOARD**

FROM: Debra Enslinger
Planning Director

DATE: May 25, 2022

SUBJECT: Town of Aberdeen Request 30 Acres of Watershed Allocation /Watershed
Transfer Resolution

PRESENTER: Debra Enslinger

REQUEST:

The Town of Aberdeen is requesting a transfer of watershed allocation from Moore County's Drowning Creek Watershed Allocation.

BACKGROUND:

In 1993 Moore County adopted public water supply watershed regulations as required by the North Carolina Department of Environment and Natural Resources (NCDENR). These regulations apply within the area designated as a Public Water Supply Watershed by the North Carolina Environmental Management Commission. These regulations further protect the areas of the county where the surface water drains into an area used as a county or municipal water source by limiting the amount of impervious surface that can be developed on a parcel of land.

The County of Moore and the Town of Aberdeen have jurisdiction in the Drowning Creek Watershed, which is classified as a WS-II watershed by the North Carolina Environmental Commission.

The Town of Aberdeen has adopted a water supply watershed protection ordinance implementing the low-density option and 10/70 provision for WS-II water supply watersheds for its jurisdiction in the Drowning Creek Watershed.

The Drowning Creek Watershed was created as of June 21, 1993, with the County of Moore having 63,970 acres of land within its jurisdiction of said watershed. The 10/70 provision allows local governments to take a maximum of 10 percent of their jurisdiction in the watershed as of July 1, 1995 and allow new development at up to 70 percent built-upon area, outside of the critical watershed areas. The Division of Quality (DWQ) approved joint resolutions between Moore County and its eleven municipalities to transfer rights of 5/70 and 10/70 land area in five water supply watersheds. The affected watershed areas were Little River (Vass), Little River (Intake No.2), Bear Creek, Drowning Creek, and Nicks Creek. Each resolution involved acceptance by a municipality of specific amount of unused allocation formerly held by Moore County. Amounts for transfer were based on each local government's jurisdiction within a particular watershed as of 2012.

The Division of Water Quality (DWQ) approved in October 2021 2 joint resolutions between the Town of Aberdeen and Moore County, acceptance by Aberdeen of 530.01 acres of Moore County's allocation in the Drowning Creek WS-II-BW watershed.

The Town of Aberdeen anticipates it will soon exceed its allocation of 10/70 option acreage. Pursuant to the Water Supply Watershed Protection Rules (15A NCAC 2B.0200) developed by the North Carolina Environmental Management Commission, the County of Moore may transfer, in whole or in part, its rights to the watershed acreage to the Town of Aberdeen with the Drowning Creek Watershed.

The Unified Development Ordinance /section 15.9 Allocation Transfer Between Jurisdiction states, “Moore County, having jurisdiction within a designated water supply watershed may transfer, in whole or in part, its right to the 5/70 land area to one of the other local government jurisdictions located within Moore County within the same water supply watershed upon submittal of an approved joint resolution between the Moore County Board of Commissioners and the governing body of the municipality and approval by the NC Department of Environmental Quality.”

STAFF RECOMMENDATION:

Staff recommends the Planning Board provide an endorsement of the resolution to the Board of Commissioners that would transfer watershed allocation from the Drowning Creek to the Town of Aberdeen as requested.

SUPPORTING ATTACHMENTS:

Resolution Town of Aberdeen
Town of Aberdeen Watershed Allocation Table
Map of Area
Resolution Moore County
Moore County Allocation Table

A RESOLUTION TO ACCEPT TRANSFER RIGHTS FOR 10/70 LAND AREA IN THE DROWNING CREEK WATERSHED TO THE TOWN OF ABERDEEN, NORTH CAROLINA FROM COUNTY OF MOORE, NORTH CAROLINA.

THAT WHEREAS, the County of Moore and the Town of Aberdeen have jurisdiction in the Drowning Creek Watershed, which is classified as a WS-II watershed by the North Carolina Environmental Management Commission; and,

WHEREAS, the Town of Aberdeen has adopted a water supply watershed protection ordinance implementing the low-density option and 10/70 provision for WS-II water supply watersheds for its jurisdiction in the Drowning Creek Watershed: and,

WHEREAS, the Drowning Creek Watershed was created as of June 21, 1993, with the County of Moore having 63,970 acres of land within its jurisdiction of said watershed; and,

WHEREAS, the 10/70 provision allows local governments to take a maximum of 10 percent of their jurisdiction in the watershed as of July 1, 1995, and allow new development at up to 70 percent built-upon area, outside of the critical watershed areas, and,

WHEREAS, the Division of Water Quality (DWQ) approved in October of 2012 joint resolutions between Moore County and its eleven municipalities to transfer rights of 5/70 and 10/70 land area in five water supply watersheds. The affected watershed areas were Little River (Vass), Little River (Intake No.2), Bear Creek, Drowning Creek, and Nicks Creek. Each resolution involved the acceptance by a municipality of a specific amount of unused allocation formerly held by Moore County. Amounts for transfer were based on each local government's jurisdiction within a particular watershed as of 2012.; and

WHEREAS, the Drowning Creek Watershed after acceptance of transfer rights in October 2012 based on each local government's jurisdiction, Moore County had 46,754.03 acres of land within its jurisdiction of said watershed ; and

WHEREAS, the Division of Water Quality (DWQ) approved in October of 2012 joint resolutions between the Town of Aberdeen and Moore County, acceptance by Aberdeen of 530.01 acres of Moore County's allocation in the Drowning Creek WS-II-BW watershed.; and

WHEREAS, the Town of Aberdeen anticipates that it will soon exceed its allocation of 10/70 option acreage; and

WHEREAS, pursuant to the Water Supply Watershed Protection Rules (15A NCAC 2B.0200) developed by the North Carolina Environmental Management Commission, the County of Moore may transfer, in whole or in part, its rights to the watershed acreage to the Town of Aberdeen within the Drowning Creek Watershed; and

WHEREAS, the Moore County Unified Development Ordinance Section 15.9 Allocation Transfer Between Jurisdictions states, "Moore County, having jurisdiction within a designated water supply watershed may transfer, in whole or part, its right to the 5/70 land area to one of the other local government

jurisdictions located within Moore County within the same water supply watershed upon submittal of an approved joint resolution between Moore County Board of Commissioners and the governing body of the municipality and approval by the NC Department of Environmental Quality.”; and

WHEREAS, the Town of Aberdeen wishes to clarify allocation to the town and desires the ability for facilities and services which typically require larger amounts of built-upon area to locate in its portion of jurisdiction in the Drowning Creek Watershed; and

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Town of Aberdeen, North Carolina, accepts the transfer of watershed allocation from the County of Moore to the Town of Aberdeen, North Carolina in the amount 300 +/- acres located in the Drowning Creek Watershed.

FURTHERMORE, following the transfer of the watershed allocation, by the adoption of this Resolution, the Town of Aberdeen will now have 107 acres within its jurisdiction with 30 acres of allocation available for 10/70 development, and the County of Moore will have a total of 46,627.63 acres within its jurisdiction with 2,292.3765 acres available for 5/70 development in the Drowning Creek Watershed.

Ayes: 5

Noes: 0

Absent or Excused: NA

Dated: 3/14/2022

Robert A. Farrell

Robert A. Farrell, Mayor

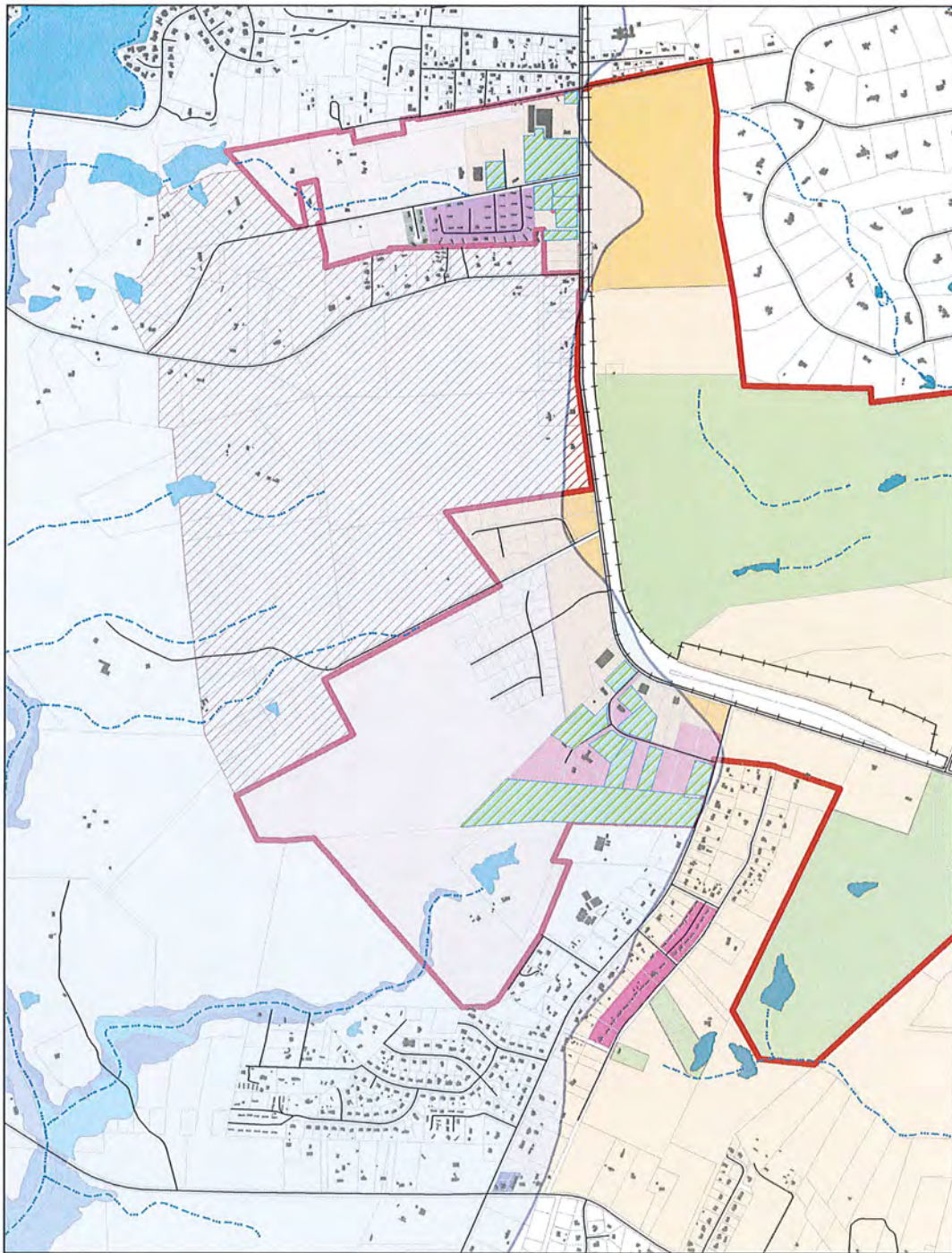
Attest:

Regina M. Rosy













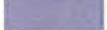
Regina Rosy, Town Clerk



Watershed Allocation								
Parcel ID#	Date	SNIA / SP #	GRANTED / EXPIRED	PROJECT			Acreage Awarded	Balance
				Lot #	Development	Developer/Project Name		
Total 10/70 Allocation (transferred in 2012)								53.00
20040064			Granted			Southeastern Consortium Properties Aberdeen, LLC	-1.01	51.99
20020329			Granted			Amicus Investments, LLC	-1.2	50.79
20000414			Granted			B2R2, LLC	-2.04	48.75
00047639			Granted			William J. Barnhardt	-1	47.75
00050048			Granted			Charles O. and Clara P. Peterson Trustees	-1.46	46.29
95000133			Granted			Cirillo Enterprises II, LLC	-0.45	45.84
00051524			Granted			James R. Kirkpatrick	-8.29	37.55
20000399			Granted			Air Specialties, Inc.	-2.13	35.42
20000400			Granted			Jerry H. & Gwen A. Gattis, Perry L. & Alison G. Johnson	-2.57	32.85
98000637			Granted			Air Specialties, Inc.	-2.3	30.55
00053776			Granted			Charles O. and Clara P. Peterson Trustees	-1.25	29.30
20000403 [1]	4/19/2007	SNIA-07-01	Granted	Lot 17	Sandy Mine Commercial Park	Winford Williams	-2.2	27.10
98000215	6/21/2007	SNIA-07-02	Granted	Lot 3	Silica Park	Winford Williams	-1.6	25.50
20000403 [2]		SNIA-07-01	Rescinded	Lot 17	Sandy Mine Commercial Park	Winford Williams	2.2	27.70
20000403	1/17/2008	SNIA-07-03	Granted	Lot 16 & 17	Sandy Mine Commercial Park	Gaddis Johnson	-4.21	23.49
98000215	6/21/2007	SNIA-07-02	Expired	Lot 3	Silica Park	Winford Williams	1.6	25.09
00050799 [3]	5/15/2014	SNIA-14-01	Granted			Crossway Church of Worship	-8	17.09
20000411	6/14/2016	SNIA-16-01	Granted	Lot 8	Sandy Mine Commercial Park	Gattis Construction	-1.98	15.11
20000409	6/14/2016	SNIA-16-02	Granted	Lot 10	Sandy Mine Commercial Park	Gattis Construction	-2.41	12.70
20000408	6/14/2016	SNIA-16-02	Granted	Lot 11	Sandy Mine Commercial Park	Gattis Construction	-2.04	10.66
20000413	8/18/2016	SNIA-16-03	Granted	Lot 6	Sandy Mine Commercial Park	Dawn Wallace	-2.01	8.65
20000407 [4]	9/15/2016	SNIA-16-04	Granted	Lot 12R	Sandy Mine Commercial Park	Jim McSwain/Pet Lodge of Pinehurst	-2.01	6.64
00050799 [5]	5/16/2015	SNIA-14-01	Expired			Crossway Church of Worship	8	14.64
00050799	12/15/2016	SNIA-16-05	Granted			Crossway Church of Worship	-8	6.64
20000411	6/15/2017	SNIA-16-01	Expired	Lot 8	Sandy Mine Commercial Park	Gattis Construction	1.98	8.62
20000412	6/15/2017	SNIA-17-01	Granted	Lot 7	Sandy Mine Commercial Park	Gattis Construction	-2.01	6.61
20000409	6/14/2016	SNIA-16-02	Expired	Lot 10	Sandy Mine Commercial Park	Gattis Construction	2.41	9.02
20000408	6/14/2016	SNIA-16-02	Expired	Lot 11	Sandy Mine Commercial Park	Gattis Construction	2.04	11.06
20000413	8/18/2016	SNIA-16-03	Expired	Lot 6	Sandy Mine Commercial Park	Dawn Wallace	2.01	13.07
20000409	8/17/2017	SNIA-17-02	Granted	Lot 10	Sandy Mine Commercial Park	Gattis Construction	-2.41	10.66
20000408	8/17/2017	SNIA-17-03	Granted	Lot 11	Sandy Mine Commercial Park	Gattis Construction	-2.04	8.62
20000413	10/19/2017	SNIA-17-04	Granted	Lot 6	Sandy Mine Commercial Park	Dawn Wallace	-2.01	6.61
20000409	6/14/2016	SNIA-17-02	Expired	Lot 10	Sandy Mine Commercial Park	Gattis Construction	2.41	9.02
20000408	6/14/2016	SNIA-17-03	Expired	Lot 11	Sandy Mine Commercial Park	Gattis Construction	2.04	11.06
20000413	10/19/2017	SNIA-17-04	Expired	Lot 6	Sandy Mine Commercial Park	Storage Solutions of the Sandhills	2.01	13.07
20000413	10/18/2018	SNIA-18-01	Granted	Lot 6	Sandy Mine Commercial Park	Storage Solutions of the Sandhills	-2.01	11.06
20000409	11/15/2018	SNIA-18-02	Granted	Lot 10	Sandy Mine Commercial Park	Gattis Construction	-2.41	8.65
20000408	11/15/2018	SNIA-18-03	Granted	Lot 11	Sandy Mine Commercial Park	Gattis Construction	-2.04	6.61
00050799		SNIA-16-05	Expired			Crossway Church of Worship	8	14.61
20000412		SNIA-17-01	Expired	Lot 7	Sandy Mine Commercial Park	Storage Solutions of the Sandhills	2.01	16.62
00050799 [6]	4/18/2019	SNIA-19-01	Granted			Crossway Church of Worship	-8	8.62
20000412	4/18/2019	SNIA-19-02	Granted	Lot 7	Sandy Mine Commercial Park	Storage Solutions of the Sandhills	-2.01	6.61
20000412	4/19/2020	SNIA-19-02	Expired	Lot 7	Sandy Mine Commercial Park	Storage Solutions of the Sandhills	2.01	8.62
00050799		SNIA-19-01	Expired			Crossway Church of Worship	8	16.62
20000412	9/8/2021	SP-20-14	Granted	Lot 7	Sandy Mine Commercial Park	Storage Solutions of the Sandhills	-2	14.62
Remaining Balance:								14.62



ABERDEEN WATER SUPPLY WATERSHED STUDY

- | | | | |
|---|--|--|---|
|  | Aberdeen Municipal Boundary
(all colored areas outside of this line are Aberdeen ETJ) |  | 10/70 Allocation Granted
(43.94 Acres) |
|  | Highway Commercial Zone |  | May Be Annexed By Aberdeen,
per Agreement with Pinehurst |
|  | Commercial/Lt Industrial Zone |  | WS-II
(622 Acres in Aberdeen Jurisdiction) |
|  | Med-Density Residential Zone |  | Lakes |
|  | Low Density Residential Zone |  | Floodplain |
|  | Manufactured Housing Zone |  | Streams |
|  | Neighborhood Shopping Zone | | |

A RESOLUTION TO ACCEPT TRANSFER RIGHTS FOR 10/70 LAND AREA IN THE DROWNING CREEK WATERSHED TO THE TOWN OF ABERDEEN, NORTH CAROLINA FROM COUNTY OF MOORE, NORTH CAROLINA.

THAT WHEREAS, the County of Moore and the Town of Aberdeen have jurisdiction in the Drowning Creek Watershed, which is classified as a WS-II watershed by the North Carolina Environmental Management Commission; and,

WHEREAS, the Town of Aberdeen has adopted a water supply watershed protection ordinance implementing the low-density option and 10/70 provision for WS-II water supply watersheds for its jurisdiction in the Drowning Creek Watershed: and,

WHEREAS, the Drowning Creek Watershed was created as of June 21, 1993, with the County of Moore having 63,970 acres of land within its jurisdiction of said watershed; and,

WHEREAS, the 10/70 provision allows local governments to take a maximum of 10 percent of their jurisdiction in the watershed as of July 1, 1995, and allow new development at up to 70 percent built-upon area, outside of the critical watershed areas, and,

WHEREAS, the Division of Water Quality (DWQ) approved in October of 2012 joint resolutions between Moore County and its eleven municipalities to transfer rights of 5/70 and 10/70 land area in five water supply watersheds. The affected watershed areas were Little River (Vass), Little River (Intake No. 2), Bear Creek, Drowning Creek, and Nicks Creek. Each resolution involved acceptance by a municipality of a specific amount of unused allocation formerly held by Moore County. Amounts for transfer were based on each local government's jurisdiction within a particular watershed as of 2012.; and

WHEREAS, the Drowning Creek watershed after acceptance of the transfer rights in October, 2012 based on each local government's jurisdiction, Moore County had 46,754.03 acres of land within its jurisdiction of said watershed; and

WHEREAS, the Division of Water Quality (DWQ) approved in October 2012 joint resolutions between the Town of Aberdeen and Moore County, acceptance by Aberdeen of 530.01 acres of Moore County's allocation in the Drowning Creek WS-II-BW watershed.; and

WHEREAS, the Town of Aberdeen anticipates that it will soon exceed its allocation of 10/70 option acreage; and

WHEREAS, by letter dated September 27, 2021, Carolina Commercial, a developer seeking to build a multi-family and commercial development in Aberdeen, requested the Town begin the process of seeking to transfer allocated 10/70 option acres from Moore County to the Town of Aberdeen because the development will exceed the Town of Aberdeen's allocation of 10/70 option acreage; and

WHEREAS, pursuant to the Water Supply Watershed Protection Rules (15A NCAC 2B.0200) developed by the North Carolina Environmental Management Commission, the County of Moore may transfer, in

whole or in part, its rights to the watershed acreage to the Town of Aberdeen within the Drowning Creek Watershed; and

WHEREAS, the Moore County Unified Development Ordinance Section 15.9 Allocation Transfer Between Jurisdictions states, “ Moore County having jurisdiction within a designated water supply watershed may transfer, in whole or part, its right to the 5/70 land area to one of the other local government jurisdictions located within Moore County within the same water supply watershed upon submittal of an approved joint resolution between Moore County Board of Commissioners and the governing body of the municipality and approval by the NC Department of Environmental Quality.”; and

WHEREAS, the Town of Aberdeen wishes to clarify allocation to the town and desires the ability for facilities and services which typically require larger amounts of built-upon area to locate in its portion of jurisdiction in the Drowning Creek Watershed, and

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Town of Aberdeen, North Carolina, accepts the transfer of watershed allocation from the County of Moore to the Town of Aberdeen in the amount 107 +/- acres located in the Drowning Creek Watershed.

FURTHERMORE, following the transfer of the watershed allocation, by the adoption of this resolution, the Town of Aberdeen will now have 107 acres within its jurisdiction with 10.7 acres of allocation available for 10/70 development, and the County of Moore will have a total of 46,647.03 acres within its jurisdiction with 2,311.7765 acres available for 5/70 development in the Drowning Creek Watershed.

Adopted this the _____ day of _____. 2022

Frank Quis, Chairman
Moore County Board of Commissioners

Laura Williams
Clerk to the Board

Watershed Name: Drowning Creek
 Classification: WS-II-BW
 Total Area in Watershed: 46,754.03
 Total Watershed Allocation: 2337.70

Build Upon Limit: 12%
 SNIA's Issued: 3
 Allocation Used: 7.19
 Allocation Remaining: 2330.51

* This number does not deduct the public set aside - see Watershed Summary Tab

LRK	Date Approved	% BUA	Project Acreage	Allocation Remaining	Notes
97000323			0.88	2336.8215	
97000322	11/7/2013	51	4.53	2332.2915	
20050189	11/7/2013	62	1.78	2330.5115	

MEMORANDUM TO MOORE COUNTY PLANNING BOARD:

FROM: Debra Ensminger
Planning Director

DATE: July 8, 2022

SUBJECT: Parcel ID 00037933

PRESENTER: Debra Ensminger

REQUEST:

A request to initially zone to Residential & Agricultural-40 (RA-40) one parcel of approximately 8 acres located on Eastman Road, owned by Madison Sloan, per Deed Book 5697 Page 277 and further described as ParID 00037933 in Moore County Tax Records.

BACKGROUND:

The North Carolina General Assembly read three times and ratified Session Law 2022-27 House Bill 1012 – AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SOUTHERN PINES, effective June 30, 2022.

The General Assembly of North Carolina enacts:

Section 3. The following described property, identified by the Moore County Tax Property Identification Number, is removed for the extraterritorial jurisdiction of the City of Southern Pines: 00037933.

Section 4. This act becomes effective June 30, 2022.

In the General Assembly read three times and ratified this the 30th day of June 30, 2022.

ZONING DISTRICT COMPATIBILITY

The zoning classification of the property prior to de-annexation was RS-1 (Residential Single Family) with a minimum lot size of 10,000 square feet with the principal use of land for single family dwellings. The Residential and Agricultural-40 (RA-40) district is compatible with the RS-1 Residential Single-Family District in that the principal use of land is for single family dwellings, duplexes and agricultural use and discouraging any use which would generate traffic on minor streets other than normal traffic to serve residences on those streets.

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The Municipal Future Land Use Map identifies the property as Medium Density Residential Classification. The requested zoning classification of Residential and Agricultural – 40 (RA-40) is compatible with the Medium Density Residential Classification.

The Land Use Plan states within the medium density residential classification includes the density of 2 (two) to 4 (four) dwellings per acre, single family detached or attached.

RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached **Approval** or **Denial** Moore County Planning Board Land Use Plan Consistency Statement and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-604.

Motion #2: Make a motion to recommend **Approval** or **Denial** to the Moore County Board of Commissioners to zone the property identified as ParID 00037933 Residential and Agricultural – 40 (RA-40) of approximately 8 acres owned by Madison Sloan, per Deed Book 5697, Page 277 in Moore County Tax Records.

ATTACHMENTS

Pictures of Property

Vicinity Map

Land Use Map

Municipal Zoning Map

Planning Board Consistency Statement – Approval

Planning Board Consistency Statement – Denial

Session Law 2022-27 House Bill 1012

Deed Book 5697, Page 277

View of Subject Property from Driveway





View of Eastman Road from Subject property (Facing West)



View of Eastman Road from Subject Property (Facing East)



View of property across Eastman Road from Subject Property



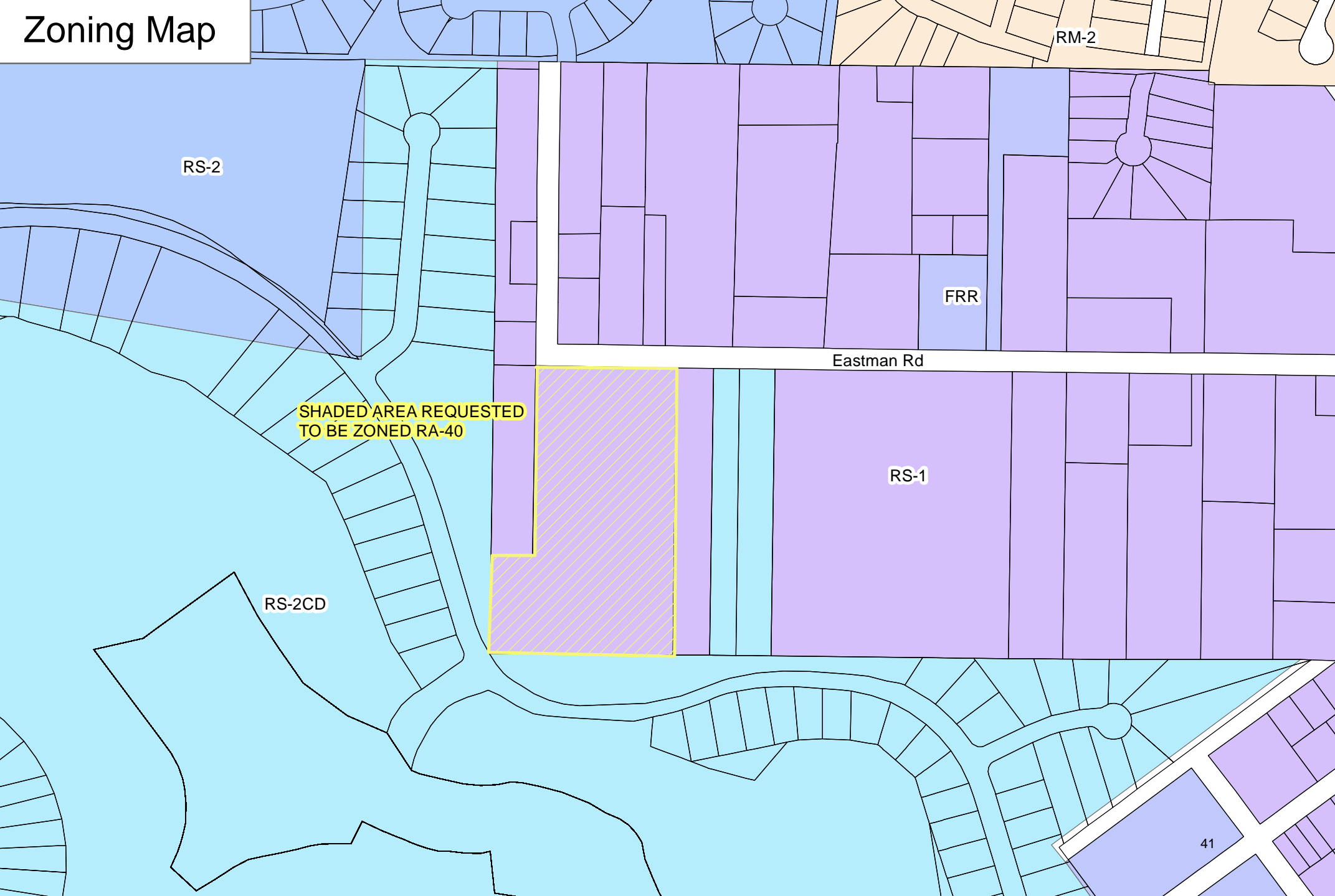
Vicinity Map



LAND USE MAP



Zoning Map



Moore County Planning Board
Land Use Plan Consistency Statement
Initial Zoning Request
to Residential & Agricultural-40 (RA-40)

The Moore County Planning Board finds that:

1. The zoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.5.2: Support new developments that utilize existing or implement planned infrastructure that most economically preserves open space and important historical, natural, and cultural features.

2. The zoning request is reasonable and in the public interest considering the Moore County 2013 Land Use Plan states that the medium density residential classification includes the density of 2 (two) to 4 (four) dwellings per acre, single family detached or attached.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the Request to initially zone to Residential & Agricultural-40 (RA-40) one parcel of approximately 8 acres located on Eastman Road, owned by Madison Sloan, per Deed Book 5697 Page 277 and further described as ParID 00037933 in Moore County Tax Records.

Joe Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
Initial Zoning Request
to Residential & Agricultural-40 (RA-40)

The Moore County Planning Board finds that:

1. The zoning request is consistent with the following goal as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.5.2: Support new developments that utilize existing or implement planned infrastructure that most economically preserves open space and important historical, natural, and cultural features.

2. The rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the Request to initially zone to Residential & Agricultural-40 (RA-40) one parcel of approximately 8 acres located on Eastman Road, owned by Madison Sloan, per Deed Book 5697 Page 277 and further described as ParID 00037933 in Moore County Tax Records.

Joe Garrison, Chair
Moore County Planning Board

Date

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2022-27
HOUSE BILL 1012**

AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF JACKSONVILLE; TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF JACKSONVILLE; AND TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SOUTHERN PINES.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The following described property, identified by Onslow County Tax Property Identification Number, is removed from the corporate limits of the City of Jacksonville: 027072.

SECTION 1.(b) This section has no effect upon the validity of any liens of the City of Jacksonville for ad valorem taxes or special assessments outstanding before the effective date of this act. Such liens may be collected or foreclosed upon after the effective date of this act as though the property were still within the corporate limits of the City of Jacksonville.

SECTION 1.(c) Property in the territory described in this section as of January 1, 2022, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2022.

SECTION 2. The following described properties, identified by Onslow County Tax Property Identification Number, are removed from the extraterritorial jurisdiction of the City of Jacksonville: 027072; 003717; and 048731.

SECTION 3. The following described property, identified by the Moore County Tax Property Identification Number, is removed from the extraterritorial jurisdiction of the City of Southern Pines: 00037933.

SECTION 4. This act becomes effective June 30, 2022.

In the General Assembly read three times and ratified this the 30th day of June, 2022.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives



For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

September 9, 2021 12:49:22 PM

Book: 5697 Page: 277 - 280 #Pages: 4

Fee: \$26.00

NC Rev Stamp: \$108.00

Instrument# 2021020044

Brief description for the Index:

Stamps: \$ 108.00

8 acres, Eastman Rd – Parcel Id. 00037933This instrument was prepared by: **Sandhills Law Group** NO TITLE SEARCH COMPLETED BY PREPARER**NORTH CAROLINA GENERAL WARRANTY DEED**THIS DEED made this 9th day of September 2021, by and between,

GRANTOR	GRANTEE
<p>FAC Holdings, LLC, a North Carolina limited liability company</p> <p><u>Mailing Address:</u> 335 Fields Drive Aberdeen, NC 28315</p>	<p>Madison Sloan</p> <p><u>Mailing Address:</u> 335 Fields Drive Aberdeen, NC 28315</p> <p><u>Property Address:</u> 347 Eastman Road Southern Pines, NC, 28387</p>

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract, or parcel of land situated in **McNeill Township, Moore County, North Carolina**, and more particularly described as follows:

See attached Exhibit A, attached hereto and made part of the whole hereof.

347 Eastman Road, Southern Pines, NC, 28387
Property Identification Number -- 00037933

Submitted electronically by "Sandhills Law Group"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Moore County Register of Deeds.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 5599, Page 149, Moore County Registry. For further chain of title, see deed recorded in Book 5030, page 610, Moore County Registry.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot, tract, or parcel of land, and all privileges and appurtenances thereto belonging to the said Grantee in fee simple; subject, however, to the exceptions, reservations and conditions herein above referred to.

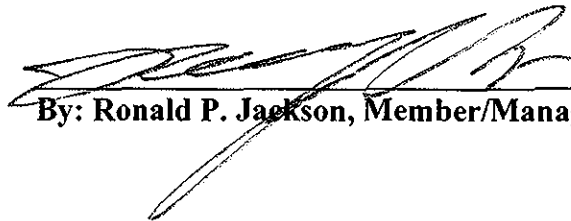
And the Grantor covenants with the Grantee, that Grantor is seized of said premises in fee simple and has the right to convey in fee simple; that the title is marketable and free and clear of all encumbrances; and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except: ad valorem taxes for the current year (prorated to the date of closing); utility easements; unviolated covenants, conditions and restrictions that do not materially affect the value of the property being conveyed herein; and such other encumbrances as may be assumed or specifically approved by Grantee.

The designation Grantor or Grantee as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as Grantor and Grantee.

***** THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK *****

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, or if Corporate, has caused this instrument to be signed in its Corporate name in the ordinary course of business by its duly authorized officer, pursuant to authorization from the Board of Directors, or if Limited Liability Company (Company), in its Company name in the ordinary course of business by its duly authorized manager, pursuant to authorization from its members, the day and year first above written.

FAC Holdings, LLC

 (SEAL)
By: **Ronald P. Jackson, Member/Manager**

STATE OF North Carolina ,

COUNTY OF Moore , to wit:

I certify that the following person(s) personally appeared before me this day, and each acknowledging to me that he or she signed the foregoing document in the capacity indicated:
Ronald P. Jackson, Member/Manager of FAC Holdings, LLC.

Witness my hand and notarial seal this 9th day of September 2021.



Notary Public
Clark H. Campbell

(Printed Name of Notary)

My Commission Expires: 08/27/2022

PLACE NOTARY SEAL INSIDE THIS BOX ONLY!

CLARK H. CAMPBELL
Notary Public
North Carolina
Moore County

EXHIBIT A

BEING that part of a One Hundred Acre Tract of land conveyed by A. C. Ray and wife, to Samuel Whiffle, by a Deed recorded in the Office of the Register of Deeds of Moore County aforesaid in Book 19, at page 4, 5, and 6 and bounded and described as follows: BEGINNING at a stake in the southern line of said tract of land 368 feet from the southwestern corner thereof and runs with said line South 86 degrees and 30 minutes East 506 feet to a stake; thence, parallel with the western line of said one hundred acre tract North 4 degrees and 13 minutes East 807 feet to an iron pipe in the southern line of a road; thence, with the said line of said road North 86 degrees and 30 minutes West 392.7 feet to the line of the 1.38 acre McRae tract; thence parallel with the western line of said one hundred acre tract, South 4 degrees and 13 minutes West 530.4 feet to an iron pipe, another corner of the McRae tract; thence, North 86 degrees 30 minutes West, 113.3 feet to an iron pipe, another corner of the McRae tract in the line of Whiffle and A. C. Ray line; thence, South 4 degrees 13 minutes West 276.6 feet to the point of Beginning, contain 8 acres, more or less. The above is 8.0 acre tract shown on plat attached hereto, made by C. H. Blue, Reg. Surveyor, Nov. 11, 1961, and entitled "Property of Inez Sarah Homphill."